

FORM PTO-1390
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

1890-0020

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

Not Yet Assigned

08/936841

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/IE00/00033	March 20, 2000	March 18, 1999

TITLE OF INVENTION A SURGICAL ACCESS DEVICE

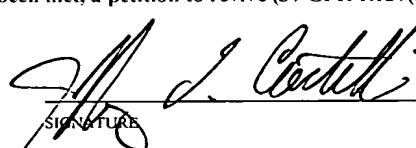
APPLICANT(S) FOR DO/EO/US Martin CALDWELL, Christy CUMMINS, Mike MUNTNER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
- 2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
- 3. This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
- 4. The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
- 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
- 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
- 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- 11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- 13. A FIRST preliminary amendment.
- 14. A SECOND or SUBSEQUENT preliminary amendment.
- 15. A substitute specification.
- 16. A change of power of attorney and/or address letter.
- 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
- 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- 20. Other items or information:
 - 1.) International Preliminary Examination Report W/Amended Sheet and Claims
 - 2.) World Publication WO/00/54676 Published September 21, 2000
 - 3.) Four (4) Sheets of Drawings (Figs. 1-9)
 - 4.) Application Data Sheet

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.492(e)) Not Yet Assigned 09/936841		INTERNATIONAL APPLICATION NO. PCT/IE00/00033	ATTORNEY'S DOCKET NUMBER 1890-0020
<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(a)(1) – (5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1000.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(3)) paid to USPTO \$710.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$690.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p>		CALCULATIONS	PTO USE ONLY
		\$860.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	12 - 20 =	-----	X \$18.00 \$ -----
Independent claims	1 - 3 =	-----	X \$80.00 \$ -----
MULTIPLE DEPENDENT CLAIM(S) (if applicable) Yes		+ \$270.00	\$ 270.00
			\$ 1260.00
TOTAL OF ABOVE CALCULATIONS =		\$ 1260.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$.		\$	
SUBTOTAL =		\$ 1260.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +		\$	
TOTAL NATIONAL FEE =		\$ 1260.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ -----	
TOTAL FEES ENCLOSED =		\$ 1260.00	
		Amount to be refunded:	\$
		charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$1260.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-2380</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-2380 (1890-0020)</u>. A duplicate copy of this sheet is enclosed.</p>			
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>			
SEND ALL CORRESPONDENCE TO:			
 SIGNATURE <u>Jeffrey L. Costellia</u> NAME <u>#35,483</u> REGISTRATION NUMBER			
JLC/sas September 18, 2001			